



INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-1325]

Institution of Investigation; Certain Soft Projectile Launching Devices, Components Thereof, Ammunition, and Products Containing Same

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on July 21, 2022, under section 337 of the Tariff Act of 1930, as amended, on behalf of Hasbro, Inc. of Pawtucket, Rhode Island and Spin Master, Inc. of Los Angeles, California. Supplements to the complaint were filed on July 29, 2022, and August 3, 2022. The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain soft projectile launching devices, components thereof, ammunition, and products containing same by reason of the infringement of certain claims of U.S. Patent No. 8,371,282 (“the ’282 patent”) and U.S. Patent No. 8,640,683 (“the ’683 patent”). The complaint further alleges that an industry in the United States exists or is in the process of being established as required by the applicable Federal Statute. The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000.

General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2560.

SUPPLEMENTARY INFORMATION:

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.10 (2021).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on August 22, 2022, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1-15 and 17-21 of the '282 patent and claims 1-6 and 10-15 of the '683 patent, and whether an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is “projectile launchers designed to launch ammunition made of a hydrated super absorbent polymer (SAP) material, components of such projectile launchers, SAP ammunition for use in connection with such projectile launchers, and products containing same”;

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:

Hasbro, Inc.
1027 Newport Avenue
Pawtucket, RI 02861

Spin Master, Inc.
5880 W. Jefferson Blvd.
Los Angeles, CA 90016

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Shenzhen Yi Jin Electronics Science
101-501, Building 10
Dawang Industrial Park, No. 66,
Xin Xia Road, Shan Xia Community,
Longgang District, Shenzhen City,
Guangdong Province, China 518111

Guangdong Yu Lee Technology Corporation
No 357 Qingfeng Rd
QingXi Town, Dongguan City,
Guangdong Province, China 523645

Yu Lee Company Ltd.
1801-5, 18/F., King Palace Plaza,
52A Sha Tsui Rd, Tsuen Wan
N.T. Hong Kong

Gel Blaster, Inc. f/k/a Gel Blaster, LLC

5000 Plaza on the Lake, Suite 265

Austin, Texas 78746

S-Beam Precision Products Ltd.

Building D & E, Dongcheng Industrial Park,

Xinping 2nd Road, Mingzhong Town,

Zhongshan City, Guangdong Province, China 528441

Splat-R-Ball, LLC

1700 N 2nd St

Rogers, Arkansas 72756

Daisy Manufacturing Company

1700 N 2nd St

Rogers, Arkansas 72756

Prime Time Toys Ltd.

Suite 5 2/F Kwong Sang Hong Centre,

151-153 Hoi Bun Rd,

Kwun Tong, Hong Kong SAR

Prime Time Toys LLC

200 Wanaque Ave, Suite 101

Pompton Lakes, New Jersey 07442

Easebon Services Ltd.
Suite 5 2/F Kwong Sang Hong Centre,
151-153 Hoi Bun Rd,
Kwun Tong, Hong Kong SAR

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.13. Pursuant to 19 C.F.R. 201.16(e) and 210.13(a), as amended in 85 Fed. Reg. 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainants of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: August 22, 2022.

Katherine Hiner,
Acting Secretary to the Commission.

